

Community TAG meeting Devil's Swamp Lake

June 25, 2012

Attendees: EPA Bart Canellas, Bill Little, DHH Dr. Ratard, USACE Bobby Dupantier, TAG Rosemary Jones, and Rev. Claiborne, Daniel Shular TA, LEJCOC Albertha Hastings, Louisiana Bucket Brigade, and 17 community members.

The next meeting was scheduled for JULY 23, 2012. This meeting has been postponed and the new date will be forthcoming.

Questions:

1. Why did the article in the newspaper state that according to the EPA fact sheet 1500 people live in the 2 mile radius of the site? Where does this radius start and end? Is this the extent (distance) of the contamination? When can you do an examination beyond the 2 miles?
 - A. The EPA representative, Remedial Project Manager Bart Canellas responded: We aren't familiar with the document they are using for this number. There are a lot of numbers on the internet concerning demographics. Most are based on census information. Populations are used in the Superfund ranking process and in parts of the Hazard Ranking System (HRS). The HRS package was completed and the Site was proposed to the NPL. The decision was made to move forward with the investigation and changing a population number at this time would have no effect on this decision.
2. PCB's are the focus of this study but there are lots of other chemicals, worst then PCB's, that we are exposed too.
 - A. The Technical Advisor (TA) contracted by the recipient of the Technical Assistant Grant (TAG), Mr. Daniel Schuler, explained that EPA, LDEQ and the other investigators are testing for other chemicals of concern along with the PCB's
3. Does this investigation include the Town of Alsen?
 - A. The EPA representative responded: No. The investigation focuses in the area of a release of contaminants. This is the Devil's Swamp Lake and areas of Devil's Swamp next to the lake. As the extent of contamination is investigated, this area will be expanded if needed. At this time there is no information to suggest contaminants have moved up-gradient to the Town of Alsen.
4. What about the people? You just keep testing the fish; you need to test the people.

The EPA representative responded:

- A. We test the fish because the contaminants of concern bioaccumulate. This means they build up or concentrate within the tissues of organisms such as fish. The major pathway for people to be exposed to these contaminants is through the ingestion of fish and crawfish. By testing the fish, we would know if there are any unacceptable risks to people that ingest fish caught in the lake or to the environment.

Representatives from the Louisiana Department of Health and Hospitals (LDHH) further expanded this response:

- B. Testing people may not be helpful to determine the cause of their illnesses. There are many differences in health complaints of each individual based on their particular level of health. For example, those with chronic health conditions or individuals suffering from viral illness may report information that is unrelated to environmental sources. It is particularly helpful to examine specific pathways of human exposure to determine health risks to a community. If you are exposed to a chemical, you may become sick. It depends on the kind of chemical, how much you are exposed to and how often and how long. One step in determining if you are at risk of sickness due to a chemical exposure is to measure how much of the chemical is present in the air you breathe, the water you drink, the dust you inhale, the food you consume and the amount of dust on your skin. Knowing this kind of information provides the best indication of unacceptable health risks to an exposed individual. In respect to pathways of exposure related to Devil's Swamp Lake and the Alsen community, it has been determined that fish consumption is the primary route of exposure to contaminants from the site. The current fish consumption advisory recommends adults and children consume no more than two 8-ounce or 4-ounce meals per month, respectively. This advisory is based on data collected in the mid 1990's; new fish and crawfish samples are presently being collected in an effort to update the advisory and to establish current site conditions and risk levels. This new data will be presented to the community in draft form by December 31, 2012.

- 5. What is so difficult about finding out what the people in this Community are dying from? If the fish are contaminated, the people got sick from the fish that only make sense! You need to study the Community!

Representatives from LDHH further explained:

- A. Although the environment plays an important role in health, environmental associations with illness are difficult to establish based on community studies. Community studies show that all people have health problems, some more than others based on their individual level of health. One person may report every single sore throat, tooth ache, or stomach cramp, while the neighbor may not pay that much attention to their aches and pains and report almost nothing; someone may have diabetes and report more health problems than the neighbor who is not diabetic and so on. A community study includes a lot of information that often has no relationship to pollution. Cancer, for example, is a

common disease. The American Cancer Society (ACS) estimates that four out of ten people will develop some type of cancer in their lifetime. Since people are living longer, they are at a higher risk for developing cancer. Common risk factors for cancer include smoking, diet, alcohol use, and exposure to sunlight. Other factors include family, sexual and reproductive history, and occupational exposures. Although some cancers have been associated with environmental exposures, according to the ACS, overall it is difficult to determine the impact of chemicals on human health. ACS states that the other risk factors are much more important. LDHH, in partnership with the Centers for Disease Control and Prevention, is collecting health and environmental data in order to figure out if certain diseases can be linked to chemicals that are found in the environment. This effort is carried out by the Louisiana Environmental Public Health Tracking Program (LEPHT). While analyzing pathways of exposure is currently our best tool to establish unacceptable health risks, tracking will provide better treatment plans and disease prevention in the future. Some of the health conditions that are tracked include asthma, birth defects, cancer, carbon monoxide poisoning, childhood lead poisoning, myocardial infarctions, and reproductive and birth outcomes. LEPHT is a web-based site which the community can access to follow our progress at <http://lepht.dhh.la.gov/Pages/LA%20EPHT%20Program.aspx>

6. DHH needs to do a study on the Community.

Representatives from LDHH further explained:

- A. As mentioned above, adverse health risks are rarely established as a result of community health studies. Studying the environment and exposure pathways provides the amount of chemical to which you are exposed and the science of toxicology will provide answers to what degree you would expect it to affect your health. The environmental data that is currently being collected will be used to complete an updated fish consumption advisory and a human health risk assessment to provide the community with a current reflection of site conditions at the Devil's Swamp Lake site and an evaluation of any unacceptable health risks related to site exposures. LDHH has a long history of evaluating potential health risks to the Alsen community stemming from consumption of fish (2006 public health consultation), and drinking water (2009 public health consultation). LDHH also commissioned Southern University to conduct an assessment of fish, wild game and garden product consumption by residents of the Devil's Swamp Lake area in 2005. Furthermore, the Alsen community participated in a health survey conducted by LDHH in 1980. Any of these documents can be accessed by calling LDHH toll-free at 1-888-293-7020.

7. Why don't they test Humans?

The EPA representative responded:

- A. In reference to the 5 questions above there are three separate actions that will help answer the Health question in terms of risk:
- First – The EPA will complete a Human Health Risk Assessment (HHRA) and a baseline Ecological Risk Assessment (BERA). This will generate a risk number to help EPA determine if remedial action is needed at the site.
- Second - The data collected from the fish and crawfish samples, will be used by LDEQ, LDHH and other State Agencies to do a reassessment of the current fish consumption advisory.
- Third – The LDHH will also do a Health Assessment.

8. We feel we are totally disconnected from the people doing the investigation. How do we get to the table with you?

- A. The EPA representative responded:
- The EPA provides information through the “Superfund Site Summaries” posted in the Internet in the EPA website.
 - The EPA maintains a site mailing list where interested citizens may register their names and addresses to receive by mail periodic fact sheets issued by the Agency.
 - The EPA also provided a Technical Assistance Grant (TAG) to the community, represented by the Alsen/St.Irma Lee Community Enterprise, Inc.
 - The EPA and our partner agency, the Louisiana Department of Environmental Quality (LDEQ), have attended several meetings where we have been invited to attend and listen to the concerns of the people.
 - Furthermore, this TAG provides funds for the group to hire a technical advisor to explain the technical documents that have been generated during this investigation.

9. A lady in the Community stated she is dying of cancer and Devil’s Swamp is mentioned in a book she is reading, about people dying from industrial contamination. “LAYING WASTE” by Michael H. Brown. (The book is about the Love Canal and exposes other chemical waste dumps across the United States.)

- A. Dr Ratard (LDHH) explained that health effect studies were difficult to pin point a specific cause, effect to a particular individual, who is going to be sick or not. Epidemiology studies and health surveys may require a large population analysis to define a trend, not based on a single individual.

10. What is the connection between the formula for an NPL Site and the Community? Was anyone in the Community involved? What questions were asked of the Community? When does the magic # come?

The EPA representative responded by further explaining the process to propose the site to the NPL:

- A. There are no magic numbers. There is a formula used to identify sites to be placed in the National Priorities List (NPL). This formula is part of the law and is known as the “Hazard Ranking System”. The formula generates a score and is used by the EPA to identify those sites to propose and add to the NPL. The Devil’s Swamp Lake was proposed the NPL on March 8, 2004. This announcement was made public and at that time a public comment period was established where the community had an opportunity to present any questions or concerns.
- B. The next numbers to consider come after the remedial investigation and will be the result of the human health and the ecological risk assessments. These numbers will indicate if there are unacceptable health risks to the community or the environment.

11. When will the Community know the results? We need a timetable of what’s going on and need to be kept up-to-date.

The EPA representative responded by further explaining the RI/FS process:

- A. This is a multi-step process. First we need to do the sampling. Then samples go to the Lab to be analyzed. The results are sent back to the investigators, this data needs to be evaluated, validated and compiled into a report. This report is then reviewed by Federal and state agencies. We share the results with the TAG group for their review and comments. After that we proceed with the Human Health Risk Assessment, Baseline Ecological Risk Assessment, a Feasibility Study, Identification of Alternatives, Proposed Plan, Public Meeting, Public Comment Period, etc. The Tier II draft report will be available by December 31, 2012.

12. The water in Alsen is no good. We can’t eat the vegetables out of our gardens.

The EPA’s Community Involvement Coordinator explained actions taken by EPA, LDEQ and LDHH to assess the quality of the drinking water supply:

- A. In November 2009, LDHH completed a Health Consultation on the Alsen Community Water Supply. The Alsen water comes from the 2 principal wells in the area and 1 back-up source. Contamination concentrations detected in the three wells were below comparison values and it was determined the water posed no concerns for peoples’ health and no public health actions are needed at this time.
- B. In May 2010, representatives of the EPA and their contractor collected tap water samples in the community, to further evaluate citizens concerns, related to the drinking water supply. The results confirmed that the water posed no concern for peoples’ health.
- C. Alsen is part of the Baton Rouge water system and is required by law, to test and monitor the water supplied to the community. You can request a copy of the results from the Baton Rouge Water Department. The number should appear on your billing statement.

13. The Companies dumped chemicals into the swamp before the lake was built. They used that contaminated dirt to build the levee. Now the levee is breached and that contaminate

is spreading into the harbor and into the community when it floods. You need to test the levee; you need 10 foot core samples!!!

- A. The representative of the Corp of Engineers stated that he would look into the construction of the levee and who is in charge of the maintenance of the levee. He will report back to the community at the next scheduled meeting. The property owner also claimed Rollins had been dumping into the swamp prior to the building the levee and that contaminated soil were used in the building of the levee. He wants EPA to do a core sample of the levee to look for contamination. Bart explained that there is no information in the site files to indicate any contamination in the levee soil that would present an unacceptable risk requiring remediation.

In an effort to further address this community concern, surface soil samples on the levee will be collected during the Tier 2 field activities to verify if there are PCBs present at an unacceptable concentration.

14. Clean Harbors has been hauling stuff out of the facility for 18 months and taking it to Alabama. They are trying to get rid of stuff.

- A. The representative of EPA explained:

Clean Harbors is a permitted regulated facility by the State and we are here to discuss Devil's Swamp Lake. They would have the necessary paperwork to haul thing to different facilities, and this information would appear on the manifests. The Technical Advisor (TA) volunteered to look into this and Bart reminded them that the TA's effort need to be devoted to Devil's Swamp Lake only, and they acknowledged this.

15. There is stuff buried over there, there are tank cars buried and all kinds of chemicals they dumped in the swamp. We have people that live in the Community that worked there, and know where these things were dumped and buried.

The representative of EPA explained:

Again, Clean Harbors is a permitted regulated facility by the State and we are here to discuss Devil's Swamp Lake.

16. Is there a current permit to discharge into the Lake?

The EPA representative responded, and this was later confirmed with the representative from the Louisiana Department of Environmental Quality (LDEQ):

- A. Clean Harbors currently has a LDEQ permit to discharge storm-water runoff into Devil's Swamp Lake. This is composed only of storm water that falls on the facility and is tested in accordance with the current discharge permit. This does not include process water, which is now discharged to the Mississippi river via a pipeline, and is tested and discharged under a current LDEQ discharge permit. Historically, process water was discharged to Devil's Swamp Lake under permit, but this is no longer the case.

17. Is the Health Risk just based on the fish? The soil is where contaminants are, and they are in the soil in Alsen.
- A. Human Health Risk comes from exposure to different media such as air, water, soils and different pathways, such as inhalation, ingestion, dermal contact, etc. The conceptual site model, included in the work plan, identified fish consumption to be the pathway of greatest concern that could affect health risk.
18. Love Canal is just like Devil's Swamp, the same contaminants, and those people where moved. We need to be moved too! You need to buy us out!
- A. If unacceptable risks are identified, an appropriate remedial option will be presented to the community. At that time there will be a public comment period and the EPA and LDEQ will consider all community concerns before making a final decision.
19. It has been known for ten years that the contaminants have migrated into the Alsen Community. You haven't done anything in Alsen.
- A. EPA is responding by investigating a release or potential release of contaminants at the Devil's Swamp Lake. If the investigation reveals a need to extend the extent of contamination up to the Alsen Community, it would be extended. However, there is no indication of such a need at this time. No data has been identified so far to confirm a current release or potential release of contaminants in the Community.
20. There were some questions about who is doing the investigation and why we trust them if they could be a responsible party for the problem. Who is conducting the investigation?
- A. The investigation is being conducted by Conestoga-Rovers & Associates (CRA); an environmental consultant hired by Clean Harbors, Inc., on behalf of Baton Rouge Disposal, LLC. They are known as the Potentially Responsible Party (PRP).
21. Why Clean Harbors we don't trust them.
- A. They are doing this work under an order (Unilateral Administrative Order for Remedial Investigation/Feasibility Study) issued by the EPA under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, (CERCLA), also known as Superfund. The work needs to be performed according to the requirements presented in the order.
- B. The EPA and LDEQ, in coordination with other federal and state agencies, review and approve every work plan and report produced. This is to ensure its compliance with the order and all the applicable federal and state regulations.
- C. In addition, we share this information with the community through the TAG recipient. The TAG group has hired a technical advisor to help the community interpret and understand these technical reports.

D. The EPA/LDEQ/LDHH have issued frequent fact sheets and attended several meetings in the community to further explain the findings of the investigation and answer the community concerns.

22. How can you check what they are doing?

A. Staff of EPA, LDEQ, and other federal and state agencies provide oversight to all field activities conducted.

B. In addition, EPA provides the services of an independent oversight contractor to supervise that field activities are conducted as per approved plans.

C. During these activities environmental samples are collected. The EPA analyzes some of those samples independently to verify results are consistent with the results of laboratories contracted and used by the PRP.

These were the answers at the meeting to the best of our memory. It is a summarization, since we were there for 2 ½ hours, a lot more was said, but these were the major points.

The major concerns:

Community Health Study

Date for Risk Study

Levee Ownership /Responsibility

Levee Soil Contamination Buried

Levee Breaches Responsibility

Community Water Supply

18 Month Transporting Waste Out

51 Years Nothing Done